

Office of Professional Accountability (OPA)
Commendations & Complaints Report
June 2007

Commendations:

Commendations Received in June: 18

Commendations Received to Date: 90

<i>Brown, Debbie Granard, Cynthia Kappel, Jeffery Liggins, Lester</i>	A letter of commendation was received by members of the Seattle Police Department, who were instrumental in the donation and delivery preparations of 50 bicycles to be used by women and children living in Kisumu, Kenya. These bicycles will help support projects involved with education, caring for orphans, vulnerable children, community & economic development, and technical assistance.
<i>Cambroner, Robert Clinton, Adam Deese, Damon Freese, Michael Kelly, Benjamin</i>	A reported stolen vehicle equipped with a silent alarm was tracked and recovered within seven minutes of entry and activation. Officers were commended for their quick response. The vehicle did not appear to have any damage and was returned to the owner.
<i>Craig, Jerome</i>	Detective Craig received a commendation letter for his outstanding performance and invaluable assistance to the Everett Police Department Special Assault Unit during a recent investigation.
<i>Fowler, Christopher</i>	Sergeant Fowler was commended for the assistance he provided to the Bellevue Police Department on dignitary protection training for their SWAT and Crowd Control units. The training provided will be of great benefit to their department.
<i>Garniss, Robert</i>	Officer Garniss received a commendation for his professionalism and skill in upholding traffic enforcement duties in a problem area. His efforts help establish better relations within the community and provided for a safer environment.

<i>Lee, Caryn</i>	Sergeant Lee received a letter of commendation for her participation in the annual Spring Judicial Conference. The conference focused on protecting the aging and vulnerable population and it was a success due in part to her participation. Sergeant Lee's knowledge and experience brought a "real world" dimension to the discussion.
<i>Ragonesi, Andrew Montaron, Gilles</i>	A reported stolen vehicle equipped with a silent alarm was tracked and recovered within minutes of activation. Officers were commended for their quick response. Within six minutes of entry and activation of the device, Officers Ragonesi and Montaron received the silent signal in their patrol cars. Following audio and visual cues, they located the car a few blocks from where it was stolen. It was abandoned and did not appear to be damaged.
<i>Sanford, Michael Edwards Jr, William Lowe, Donnie</i>	The Aberdeen Police Department and the City of Aberdeen commended three supervisors for the invaluable assistance they provided during a recent military deployment from the Port of Grays Harbor Aberdeen facilities. The expertise and encouragement provided by the employees was greatly appreciated.

*This report includes commendations received from citizens or community members. Numerous commendations generated within the department are not included.

June 2007 Closed Cases:

Cases involving alleged misconduct of officers and employees in the course of their official public duties are summarized below. Identifying information has been removed.

Cases are reported by allegation type. One case may be reported under more than one category.

UNNECESSARY FORCE

Synopsis	Action Taken
<p>The complainant alleged that the named employees used excessive force during his arrest for an outstanding warrant.</p> <p>It is further alleged that unnecessary force was used when pepper spray was used to control other subjects at the scene of the arrest.</p>	<p>Independent witnesses supported the officers' version of the incident. The named employees used only the necessary force to arrest the complainant, who was actively resisting apprehension on an outstanding felony warrant.</p> <p>The other subjects at the scene disregarded verbal warnings to step back and comply with the named employees' commands. The pepper spray application was reasonable and necessary for officer safety purposes. The arrest was reported, documented, and screened. Finding—EXONERATED (two officers); ADMINISTRATIVELY UNFOUNDED (one officer, who was not present at the incident).</p>
<p>The complainant alleged that the named employees unnecessarily grabbed and pushed the complainant while arresting her for interfering with the employees' effort to impound her spouse's vehicle and arrest him for property damage.</p>	<p>The evidence clearly demonstrated that the force used was necessary and reasonable under the circumstances and that the named officers properly documented their actions. Finding—EXONERATED.</p>
<p>The complainant alleged that the named employees used excessive force when they arrested him for stopping and questioning the named employees' actions during a contact with another subject.</p>	<p>The complainant was a bystander, who interfered with the detention of another subject, who was allegedly impersonating a police officer. The complainant was yelling and refusing to comply with officers' repeated requests not to interfere and leave the scene. The complainant and subject witness did not return calls made by the investigator for statements. The arrest of the complainant was reported, documented, and screened. Finding—EXONERATED.</p>

STANDARDS OF CONDUCT: LAWS/POLICY/PROCEDURES

Synopsis	Action Taken
The complainant alleged that the named employee assaulted her estranged spouse, who had driven to the named employee's residence to pick up their child for a scheduled visitation.	The allegation was supported by the preponderance of the evidence along with information documented by the arresting agency and the named employee entered into a deferred prosecution agreement with the Court. Finding—SUSTAINED.

STANDARDS OF CONDUCT: PROFESSIONALISM

Synopsis	Action Taken
<p>The complainant alleged that the named employee removed cash and a knife from him during his arrest.</p> <p>The complainant further alleged that the named employee had contacted him weeks earlier, three times near the same location, and choked him until he passed out and then removed \$35.00 in cash from him.</p> <p>The complainant alleged he was not arrested during this other incident and felt the officer was harassing him for no reason.</p>	<p>The complainant was arrested for a narcotics violation, which was articulated and properly documented with concise observations (three separate transactions), which amounted to their probable cause. The named officers did document the currency that was recovered from the complainant. Aside from a minor calculation error, the currency was packaged inside a sealed envelope, and was accounted for with the OPA-IS audit. Finding Evidence—UNFOUNDED.</p> <p>The Reasonable Suspicion Stops were documented in detail for the later incident and the named officer's actions were deemed to be both credible and appropriate based on their observations of the complainant's drug trafficking activity. However, the incident that occurred earlier would have been better handled with supervisor notification of the stop. The complainant stated that there was witnesses to this alleged assault and removal of the money, but did not provide the investigator with this information and no independent witnesses came forward. Finding Force—EXONERATED. Finding Reasonable Stop—SUPERVISORY INTERVENTION.</p>

STANDARDS OF CONDUCT: PROFESSIONALISM continued

Synopsis	Action Taken
<p>The complainant alleged that the named employee used profanity in front of witnesses during a verbal interaction subsequent to an issued parking ticket and the complainant being informed that the vehicle would be impounded for an accumulation of unpaid parking tickets.</p>	<p>The allegation reduces to competing assertions between the complainant and the named employee, with no independent witness accounts. The complaint can be neither proved nor disproved by the preponderance of the evidence. Finding Language—NOT SUSTAINED.</p>
<p>The complainant alleged that the named employees contacted him regarding a disturbance and then proceeded to assault and threaten him during the contact.</p> <p>The complainant further alleged that one of the named employees damaged his cellular phone by running over it with their bicycle and that money fell out of his pocket during the contact that he did not retrieve from the street.</p>	<p>The complainant stated he was involved in three different incidents at three different locations with the police, and was allegedly a victim of a robbery, which was documented by a police report. The complainant admitted to using drugs to the health care provider, who made notations that the complainant was making inconsistent comments about what had happened.</p> <p>The complainant could not attribute the threat to any particular employee and the named employees stated they did not make the comment or hear the comment made by any employee. Finding Profanity—UNFOUNDED.</p> <p>The allegation of unnecessary force is generic and void of detail. That makes it difficult, if not impossible, for the named employees to recall. Neither the named employees nor other witness officers recall any misconduct as alleged by the complainant. Finding Force—UNFOUNDED.</p> <p>There is no evidence to support that the complainant possessed the money he allegedly left behind or lost that night nor the cellular phone he alleged was damaged. Finding Evidence—UNFOUNDED.</p>

June 2007 Cases Mediated:

The complainant alleged that the named employee wrongly stopped and cited him for jaywalking. The complainant emphatically denied he jaywalked and further stated that the employee never explained the reason for the stop.

Definitions of Findings:

“Sustained” means the allegation of misconduct is supported by a preponderance of the evidence.

“Not Sustained” means the allegation of misconduct was neither proved nor disproved by a preponderance of the evidence.

“Unfounded” means a preponderance of evidence indicates the alleged act did not occur as reported or classified, or is false.

“Exonerated” means a preponderance of evidence indicates the conduct alleged did occur, but that the conduct was justified, lawful and proper.

“Supervisory Intervention” means while there may have been a violation of policy, it was not a willful violation, and/or the violation did not amount to misconduct. The employee’s chain of command is to provide appropriate training, counseling and/or to review for deficient policies or inadequate training.

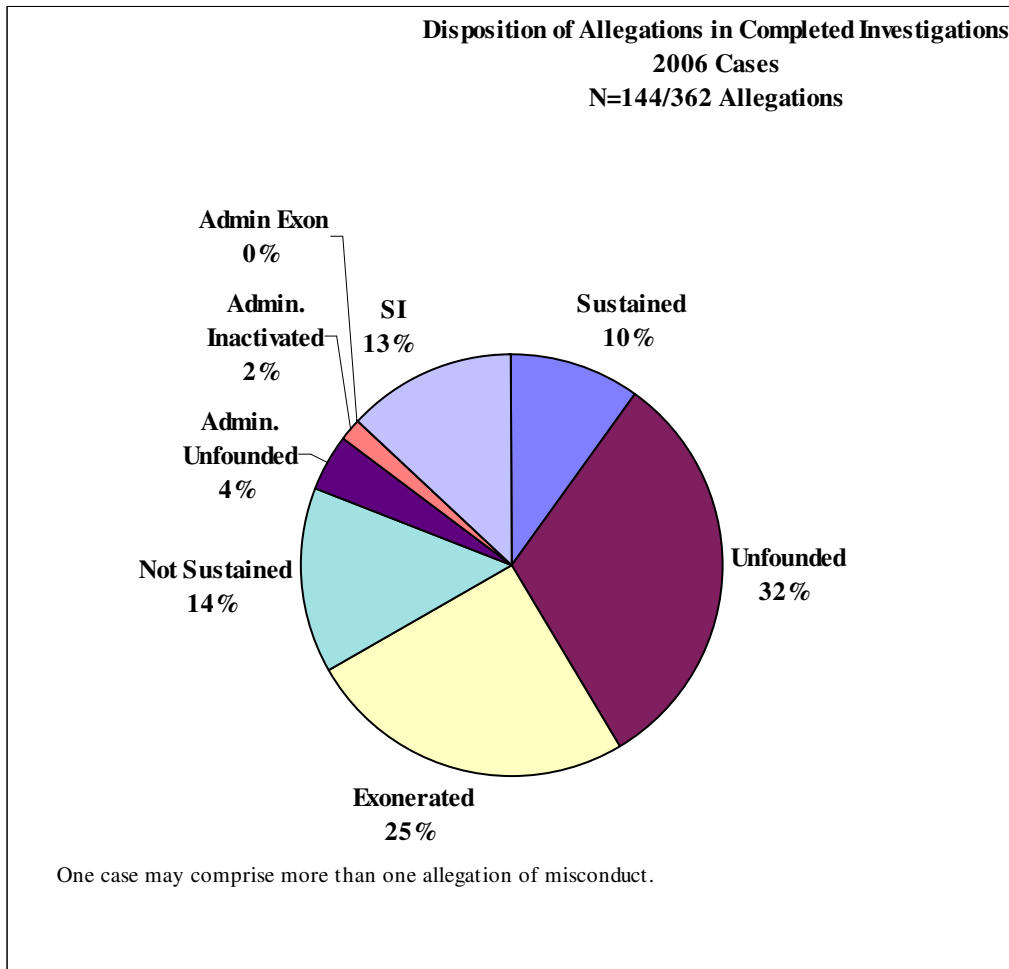
“Administratively Unfounded/Exonerated” is a discretionary finding which may be made prior to the completion that the complaint was determined to be significantly flawed procedurally or legally; or without merit, i.e., complaint is false or subject recants allegations, preliminary investigation reveals mistaken/wrongful employee identification, etc, or the employee’s actions were found to be justified, lawful and proper and according to training.

“Administratively Inactivated” means that the investigation cannot proceed forward, usually due to insufficient information or the pendency of other investigations. The investigation may be reactivated upon the discovery of new, substantive information or evidence. Inactivated cases will be included in statistics but may not be summarized in this report if publication may jeopardize a subsequent investigation.

Status of OPA Contacts to Date:

2006 Contacts	Dec 2006	Jan-Dec 2006
Preliminary Investigation Reports	14	284
Cases Assigned for Supervisory Review	5	83
Cases Assigned for Investigation (IS;LI)	10	144*
Commendations	21	397

*includes 2006 cases closed in 2007



2007 Contacts	June 2007	Jan-June 2007
Preliminary Investigation Reports	23	164
Cases Assigned for Supervisory Review	5	47
Cases Assigned for Investigation (IS;LI)	7	75
Commendations	18	90